

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-3122

United States of America,

Appellee,

v.

Rachel Suzanne Anderson,

Appellant.

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Appeal from the United States
District Court for the Western
District of Arkansas.

[UNPUBLISHED]

Submitted: February 6, 2004

Filed: March 16, 2004

Before BYE, McMILLIAN, and RILEY, Circuit Judges.

PER CURIAM.

Rachel Anderson (Anderson)¹ appeals the sentence the district court² imposed after she pleaded guilty to making, possessing, and uttering forged and counterfeit securities in violation of 18 U.S.C. §§ 513(a) and 2, and making false statements on a bank loan application in violation of 18 U.S.C. §§ 1014 and 2. Anderson argues

¹Anderson is sometimes spelled Andersen.

²The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas.

that the district court misapplied the Sentencing Guidelines in calculating her criminal history points and in denying her a reduction for her role in the offenses.

We conclude the district court did not clearly err in finding that Anderson was not eligible for a mitigating-role reduction. See United States v. Field, 110 F.3d 587, 590 (8th Cir. 1997). Nor did the court clearly err in calculating Anderson's criminal history. See U.S.S.G. § 4A1.2, comment. (n.2) (criminal history points are based on sentence pronounced, not length of time actually served), comment. (n.3) (prior sentences are related if they resulted from offenses that occurred on same occasion, were part of single common scheme or plan, or were consolidated for trial or sentencing); United States v. Levi, 229 F.3d 677, 679 (8th Cir. 2000) (standard of review). Accordingly, we affirm. Anderson's motion to dismiss the appeal is denied as moot.
